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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,831	12/20/2001	Fadi Adel Hamdan	ABTT-0258/B010690	3311

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EXAMINER

LAIR, DONALD M

ART UNIT	PAPER NUMBER
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2858

DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/028,831

Applicant(s)

HAMDAN, FADI ADEL

Examiner

Donald M. Lair

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18-21 and 23-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-21 and 23-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. This application, filed under former 37 CFR 1.60, lacks formal drawings. The informal drawings filed in this application are acceptable for examination purposes. When the application is allowed, applicant will be required to submit new formal drawings. In unusual circumstances, the formal drawings from the abandoned parent application may be transferred by the grant of a petition under 37 CFR 1.182.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16, 18-21, and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poyser et al. (US-4,654,806).

4. In regards to Claim 1, Poyser et al. teach a system for testing a transformer comprising a processor comprising a transformer test engine (Fig. 3B, element 132), a controller coupled to the processor to output control commands (Fig. 3B, elements 132 and 142) wherein it is inherent that the processor is capable of performing controller operations, a switcher coupled between the controller and the transformer to switch power to the controller responsive to the control commands (Fig. 2, element 34), and a metering system coupled between the transformer and the processor to receive measurements from the transformer and provide the measurements to the processor (Fig. 1, elements 14, 16, 26, and 28). Poyser et al. fail to teach a user-changeable test

that comprises a plurality of user-selected tests and instructions in a user-defined order of execution.

5. In regards to Claims 1, 7, 13, 18, and 23, all of the tests that the users are able to select are well known to those of ordinary skill in the art. When performing a test on any device, including transformers, a user must decide what types of test to run and in what order they are run. The step of automating this test sequence creation via prompts and menus does not impart non-obviousness to an invention (MPEP §2106; See *Dann v. Johnston*, 425 U.S. 219, 227-30, 189 USPQ 257, 261 (1976); *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958)). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention disclosed by Poyser et al. by automatic the test sequence generation process for the purpose of making the process faster.

6. In regards to Claim 2, Poyser et al. teach the system applied above, further comprising a memory device coupled to the processor for storing transformer specifications (Column 3, lines 41 – 43; Column 7, lines 56 – 65).

7. In regards to Claims 3, 4, and 5, Poyser et al. teach the system applied above, further comprising a memory device for storing the transformer test sequence (Column 12, lines 63 – 68), wherein it is inherent that anyone skilled in the art may customize the type and sequence of the tests applied.

8. In regards to Claim 6, Poyser et al. teach the system applied above, wherein the test sequence comprises a plurality of test instructions and associated parameters (Fig. 4).

9. In regards to Claim 7, Poyser et al. teach a method of testing a transformer comprising connecting the transformer to a processor comprising a transformer test engine (Fig. 4, elements

192, 194, 196), loading a customized transformer test sequence into the processor (Fig. 4, elements 184, 186), and executing the customized transformer test sequence with the transformer test engine (Fig. 4, elements 192, 194, 196).

10. In regards to Claims 8, 9, and 10, Poyser et al. teach the method applied above, further comprising the steps of providing the results of the testing and the transformer specifications to the processor (Fig. 4, element 216), determining whether the transformer passes responsive to the results and the transformer specifications, and activating an indicator responsive to the step of determining (Fig. 4, elements 200, 202, 204, and 210). The method further teaches storing the results in a memory device (Fig. 4, element 196).

11. In regards to Claim 11, Poyser et al. teach the method applied above, further comprising receiving the customized transformer test sequence prior to loading (Column 12, lines 63 – 68). It is inherent that the programming must be written before it may be loaded into the processor.

12. In regards to Claim 12, Poyser et al. teach the method applied above wherein executing the customized transformer test sequence comprises sequentially executing a plurality of test instructions with associated parameters until one end of the sequence is reached and an abort command is received (Fig. 4).

13. In regards to Claims 13, 14, 18, and 19, Poyser et al. teach a method of creating and storing a customized transformer test program comprising selecting at least one test instruction, providing at least one associated parameter for each of the selected test instructions, and defining an order of execution of each of the test instructions (Column 12, lines 63 – 68; Fig. 4, element 194).

Art Unit: 2858

14. In regards to Claim 15, Poyser et al. teach the method applied above, further comprising executing the test instructions in accordance with the order (Fig. 4, elements 192 and 194).

15. In regards to Claims 16, 17, 20, 21, and 22, Poyser et al. teach the method applied above, further comprising receiving an input command (Fig. 4, element 188), and wherein the step of selecting is performed in response to the input command (Fig. 4, element 194). The test instructions are carried out, in the sequence based on the order established during the programming, during step 194 (Fig. 4) and occur once the on line command (188) is received.

16. In regards to Claim 23, Poyser et al. disclose a device comprising a data store for storing a transformer test sequence comprising a plurality of transformer tests to be performed on a transformer test engine (Column 12, lines 63 – 68) wherein it is inherent that software written for a microcomputer must be stored in memory accessible by the processor (Column 1, lines 63 – 65) of the microcomputer.

17. In regards to Claim 24, Poyser et al. disclose the device applied above wherein the data store further stores transformer specifications (Fig. 4, elements 192, 194, and 196).

18. In regards to Claims 25 and 26, Poyser et al. disclose the device applied above wherein the processor receives commands for creating and editing the transformer test sequence (Column 12, lines 63 – 68; Fig. 4, elements 188, 192, and 194).

Response to Arguments

19. Applicant's arguments with respect to claims 1 – 26 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2858

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

21. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

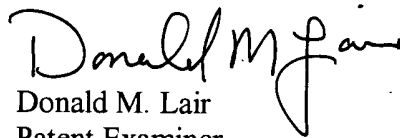
Art Unit: 2858

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald M. Lair whose telephone number is (703) 305-4450. The examiner can normally be reached on Monday - Friday, 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le can be reached on (703) 308-0750. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1436.



Donald M. Lair
Patent Examiner
Art Unit 2858
September 17, 2003



WALTER E. SNOW
PRIMARY EXAMINER